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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

ALMONT AMBULATORY SURGERY CENTER,
LLC, a California limited
liability company, et al.,

Plaintiffs,

v.

UNITEDHEALTH GROUP, INC.; UNITED
HEALTHCARE SERVICES, INC., UNITED
HEALTHCARE INSURANCE COMPANY;
OPTUMINSIGHT, INC., and DOES 1
through 20,

Defendants.

UNITED HEALTHCARE SERVICES, INC.,
UNITED HEALTHCARE INSURANCE
COMPANY; OPTUMINSIGHT, INC.,

Counterclaim Plaintiffs,

v.

ALMONT AMBULATORY SURGERY CENTER,
LLC, a California limited
liability company, et al.,

Counterclaim Defendants.

ORIGINAL
Lodged Proposed Order

2015 JAN 15 AM 10:10
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: KWA

FILED

Case No. 2:14-cv-03053-MWF (VBKx)
Hon. Michael W. Fitzgerald

[Related to Case No. 2:14-cv-02139]

THIRD PARTY UNITED STATES OF
AMERICA'S UNOPPOSED EX PARTE
REQUEST TO INTERVENE

MEMORANDUM OF POINTS AND AUTHORITIES

Individual Counterclaim Defendants Michael Omid, M.D., and Julian Omid and Plaintiffs and Counterclaim Defendants Almont Ambulatory Surgery Center, LLC, et al. (collectively "Counterclaim Defendants") have filed a motion to unseal search and seizure warrant affidavits in an ongoing criminal investigation. A hearing on their motion is scheduled for February 2, 2015, at 10 a.m. Although Counterclaim Plaintiffs are opposing this motion, the government should be permitted to intervene to protect its own interests in the ongoing criminal investigation by opposing any effort to allow viewing of the sealed affidavits. Counsel for Counterclaim Defendants (Charles Kreindler) and for Counterclaim Plaintiffs (R.J. Zayed) have each stated that they do not oppose this request.

Rule 24 of the Federal Rules of Civil Procedure provides the standards governing an application to intervene. It states that "upon timely application anyone shall be permitted to intervene in an action...when the applicant claims an interest relating to the property or transaction which is the subject of the action...." Fed. R. Civ. P. 24(a).

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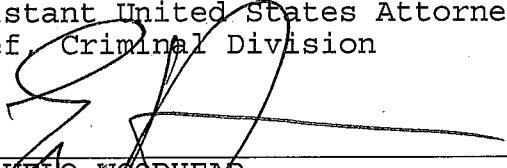
1 Since the government has a strong interest in the outcome of
2 Counterclaim Defendants' motion to unseal the affidavit at issue and
3 the other parties do not oppose this motion, the government
4 respectfully requests that the Court grant this request.

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6 Dated: January 14, 2015

Respectfully submitted,

7 STEPHANIE YONEKURA
Acting United States Attorney

8 ROBERT E. DUGDALE
9 Assistant United States Attorney
Chief, Criminal Division

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12 _____
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15 UNITED STATES OF AMERICA
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CERTIFICATE OF SERVICE

I, Susana Ybarra-Lopez, declare:

That I am a citizen of the United States and a resident of or employed in Los Angeles County, California; that my business address is the Office of United States Attorney, 312 North Spring Street, Los Angeles, California 90012; that I am over the age of 18; and that I am not a party to the above-titled action;

That I am employed by the United States Attorney for the Central District of California, who is a member of the Bar of the United States District Court for the Central District of California, at whose direction I served a copy:

THIRD PARTY UNITED STATES OF AMERICA'S UNOPPOSED EX PARTE REQUEST TO INTERVENE

☐ Placed in a closed envelope for collection and inter-office delivery, addressed as follows:

☒ Placed in a sealed envelope for collection and mailing via United States mail, addressed as follows:

See attachment below

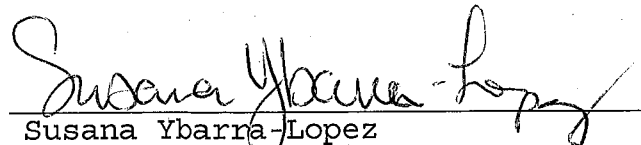
☐ By hand delivery, addressed as follows: ☐ By facsimile, as follows:

☐ Electronic Mail as follows: ☐ By Federal Express, as follows:

at the last known address, at which place there is a delivery service by United States mail.

This Certificate is executed on January 15, 2015, at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.


Susana Ybarra-Lopez
Legal Assistant

ATTACHMENT

CV 14-03053-MWF- (VBKx)

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